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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,932	12/22/2000	Peter J. Hoogenboom	42390.P9695	2345

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EXAMINER

JAROENCHONWANIT, BUNJOB

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/746,932	HOOGENBOOM ET AL.	
	Examiner	Art Unit	
	Bunjob Jaroenchonwanit	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-29 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 15-19 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. Evidence that claims 15-19 fail(s) to correspond in scope with that which applicant(s) regard as the invention can be found in the specification. In the specification, applicant has suggested, the invention intended to eliminate the costly affected from the needed of transmitting input from user terminal to validate across a network at a server (see specification page 1-2). The suggestion indicates that the invention is different from what is defined in the claim(s) because the claims 15-19 do not recites input validation or how to validate user input at the client terminal, claims' language rather direct to conventional input validation at server terminal.

3. Claims 15-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim preamble recited the article comprising, it is not clear whether applicant intent is to claim product of article or literature. If applicant's intent is the later, then is suggested to register a copyright protection with the library of congress, otherwise Applicant is suggest to amend the claims as "the product of article" or "the article of manufacture" to avoid further 35 USC §101 rejection.

For examination purpose, preamble of claims 15-19 is examined under the preamble of "article of manufacture".

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4. Examiner noted that the essence of invention is the combination of defining validation criteria from based on an input or query received from a user, the system then define validation criteria in an object in accordance with protocol of the input, transmit the object to be executed at the client terminal for validating the user's input. The object could be HTML, any form of script, Java Applet or the like. Such interpretation read on, several client server, request response, in the art, for instance authentication process, request HTML page from the server, because the term validate input, is inherent, all request from client to server must be validate to discern type, purpose, correctness, privilege, right, or other form. Hence, without defining how determining or defining criteria of input validation in the claims, they render obviousness under several convention techniques used in the network computing art.

Further, the claims' language seems to emphasize on interfaces, i.e., a first interface (interface between client application and network server) and a second interface (interface within the server between IP-14 and validation engine), which they are inherent in any computer that coupled with a network. Examiner suggested that either presenting the claims in a means plus function under 35 USC 12 sixth paragraph corresponding to detail specification and Fig. 1, or the claims' language should be clearly defined and emphasized on a first user input and defining a validation criteria from the first user input, creating an object that contain or capable of perform validation based criteria defined from the first user input, and executing the criteria to validate subsequent user inputs at the client terminal. Such clarification could exclude, reading the claims over other forms of received inquiry, i.e., search, authentication, from a user and retrieving an existing applet or HTML files, e.g., login script, HTML documents, to execute at the client terminal, which could advance prosecution, expeditiously.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 15-19 are rejected under 35 U.S.C. 102(e) as being anticipated by McGee (US 6,393,468).

7. Regarding claims 1-2, 4-5, 7-8, 11-12, 14-17, 19-22, 24-27 and 29, McGee discloses a concept that is applicable for an article of manufacture the at capable of receiving user input from client over a network, determining or validating the received input, based upon validation result, e.g., criteria, send HTML documents, login script, to the client for user authentication, e.g., validate the user at the client station, login script (Fig. 7;Col. 12, lines 32-55). McGee's teaching includes a server and client computers coupled to a network, the server is operable by software process for validation, which required, instructions, memory in any forms to storage and execute the instructions, interface to couple to the network and software interface to interface with the client, and internal interface for interfacing between internal programming process, thereby, they are inherent.

Claim Rejections - 35 USC § 103

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8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 3, 6, 10, 13, 18, 23 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over by McGee (US 6,393,468).

10. Regarding claims 3, 6, 10, 13, 18, 23 and 28, McGee discloses the invention substantially, as claimed, as described in their base claims, including determining validity of inputs to the application process, but it is silent to implementing such validation to other protocol such as SNMP, VoIP or telephony.

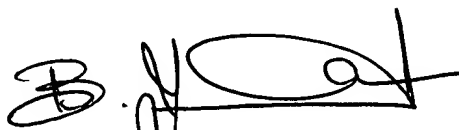
Official notice is taken that VoIP or SNMP or telephone, including the notions of validation input in the protocols were notorious in at the time of the invention was made. Thus it would have been obvious to one of ordinary skill in the art to expand the utilization such as taught in McGee by including other communication protocol within, with to motivation of expanding system flexibility and ability of competitiveness in the market.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (703) 305-9673. The examiner can normally be reached on 8:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'B. Jaroenchonwanit', with a stylized flourish at the end.

Bunjob Jaroenchonwanit
Primary Examiner
Art Unit 2143

/bj.
5/17/04